

CERTIFIED FOR PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

CALIFORNIA SCHOOL BOARDS
ASSOCIATION et al.,

Petitioners and Appellants,

v.

STATE BOARD OF EDUCATION,

Respondent;

ASPIRE PUBLIC SCHOOLS, INC.,

Real Party in Interest and Respondent.

A122485

(Alameda County Super.
Ct. No. RG 07353566)

THE COURT:

The petition for rehearing filed by respondents on August 10, 2010, is denied.

The opinion filed herein on July 26, 2010, is ordered modified as follows:

1. On page 6, first full paragraph, modify the last sentence to read: “Nothing in the CSA, however, either prohibits or discourages a charter school entity from establishing and operating charter schools in multiple districts around the state under a series of district- or county-approved charters.”

2. On page 16, first paragraph under heading 4.a., modify the fifth and sixth sentences to read: “As has been noted, the CSA neither prohibits nor discourages a charter school entity from operating in multiple school districts under local charters. Indeed, as of 2005 Aspire itself was operating 17 charter schools around the state, under charters granted by seven different school districts.”

3. On page 19, first paragraph, delete footnote 15.

There is no change in the judgment.

DATED: _____ P. J.

Trial Court:

Superior Court of Alameda County

Trial Judge:

Honorable Kenneth Mark Burr

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